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EXAMINER	
TANG, KUO LIANG J	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Offic Action Summary	Application No. 09/839,784	Applicant(s) DEMELLO ET AL.	
	Examiner Kuo-Liang J Tang	Art Unit 2122	

-- The MAILING DATE f this communication appears n the cover sheet with the correspondence address --

Peri d for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *12 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed on 01/12/2004.

Claims 1-30 are pending.

Claims 1,3-5, 8-10, 14-15, 27 and 29-30 remain rejected under 35 U.S.C. §102(e).

Claim 28 remains rejected under 35 U.S.C. § 102(a).

Claim 2 remains rejected under 35 U.S.C. § 103(a).

Claims 6-7, 24-26 remain rejected under 35 U.S.C. § 103(a).

Claims 11-13 remain rejected under 35 U.S.C. § 103(a).

Claims 16-23 remain rejected under 35 U.S.C. § 103(a).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3-5, 8-10, 14-15, 27 and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Jellum et al. (US2002/0143813A1) hereafter Jellum.

As Per Claim 1, Jellum disclosed: A method of branding a computer program comprising the acts of:

-receiving an indication that a first copy of a computer program has been downloaded to a first computing device and that said first copy is to be branded with information associated with a first entity; (see Page 2 Section [0037], "In said system, a user, who operates a PC (100) or non PC (200) device, can download the client software part of the invention from a content partner (500) via the standard internet (400). **After a first download of the client software,** the user can start to set detailed "WatchPoints" on typical information items of interest (300-340), such as for example information items that are accessable through the internet and which can be selected and read by the user.").

-transmitting first data indicative of said first entity to said first computing device; (see Page 2 Section [0037], "the user will **then utilize the client software for transferring the set "WatchPoint" data**, such as the **referenced URL**, keywords and unique element ID which describes selected element position in the source description of the selected information item, as well as a time stamp and notification information, such as SMS/WAP/GPRS/UMTS or e-mail reference(s), to the "CyberWatcher" server part (600) of the invention.").

-receiving said first data from said first computing device; (see Page 2 Section [0037], "the user will then utilize the client software for transferring the set "WatchPoint" data, such as the referenced URL, keywords and unique element ID which describes selected element position in the source description of the selected information item, as well as a time stamp and notification information, such as SMS/WAP/GPRS/UMTS or e-mail reference(s), **to the "CyberWatcher" server** part (600) of the invention."). ***and***

-providing first branding instructions to said first computing device. (see Page 2 Section [0037],, "When the server part (600) finds a match according to the specifications or data of the set "Watch Points", the server part effects generating of change indicator, which indicator in turn can trigger **sending to the user a notification** according to information provided by the user, such as to the specified SMS/WAP/GPRS/UMTS, e-mail or "MyPortal" (610).") and (see Page 2 Section [0037], "Also, in **FIG. 1**, is shown that the "MyPortal" and downloaded client from the content partners (500) can be **branded/co-branded** and limited to content partners domain and agreements with other partners.").

In fact, Applicant acknowledged that "In FIG. 1, is shown that the "MyPortal" and downloaded client from the content partners(500) can be branded/cobranded and limited to content partners domain and agreements with other partners" (E.g. see Pg. 8 1st paragraph, emphasis added). The Examiner will be clueless that if "partners" does not showing associated relationship property with the first entity. Of course, that if the first entity want to do business with its content partners based on associated information relationship, otherwise, the first entity will not choose them as partners. The first entity will also provide the first instructions (from content partners or CyberWatcher Server) to said first computing device. (E.g. see FIG 1 and associated text).

As Per Claim 3, the rejection of claim 1 is incorporated and further Jellum disclosed:

-providing instructions to said first computing device which cause said first program to display a first link to a web site associated with said first entity. (see Page 2 Section [0037], "the

user will then utilize the client software for transferring the set "WatchPoint" data, such as the **referenced URL**, keywords and unique element ID which describes selected element position in the source description of the selected information item, as well as a time stamp and notification information, such as SMS/WAP/GPRS/UMTS or e-mail reference(s), to the "CyberWatcher" server part (600) of the invention.").

As Per Claim 4, the rejection of claim 3 is incorporated and further Jellum disclosed:

- providing instructions to said first computing device which affect the placement of said first link among one or more second links. (see Page 2 Section [0037], "the user will then **utilize** the client software for transferring the set "WatchPoint" data, such as the **referenced URL**, keywords and unique element ID which describes selected element position in the source description of the selected information item, as well as a time stamp and notification information, such as SMS/WAP/GPRS/UMTS or e-mail reference(s), to the "CyberWatcher" server part (600) of the invention.").

As Per Claim 5, the rejection of claim 1 is incorporated and further Jellum disclosed:
- providing a directory to said first computing device, said directory including a first link to a web site associated with said first entity. (see Page 2 Section [0040], "In FIG. 4a, a typical web page example is shown. The web page comprises various information items, such as a text paragraph, an unordered list, an ordered list, a list item and an anchor. The outermost frame of the web page represents the body element, while the smaller frames represent tables at various levels. The various information objects identifiable from the illustration in FIG. 4a, can also be identified from the corresponding tags found in the sample web page source found in FIG. 4d,

which, when interpreted and displayed on the computer by means of a browser, will result in a web page structure as shown in FIG. 4a.").

As Per Claim 8, the rejection of claim 1 is incorporated and further Jellum disclosed a second computing device. (See Fig.1, item 200) and (see Page 3, Section 0038, "Referring now to FIG. 2, the structure of the client part of the invention will be explained. The client structure example according to FIG. 2, shows the relevant elements of the client side, essentially constituting a software running on a PC (100) or non PC device, such as for example **a set-top box, a PDA or a WAP, GPRS, or UMTS enable telephone (200)**.").

As Per Claim 9, the rejection of claim 1 is incorporated and further Jellum disclosed ***transmitting act comprises: setting a cookie on said first computing device.*** (see Page 2 Section [0037], "Also, in FIG. 1, is shown that the "MyPortal" and downloaded client from the content partners (500) can be **branded/co-branded** and limited to content partners domain and agreements with other partners."). the cookie is inherent while doing the "branded/co-branded" actions, otherwise it won't work.

As Per Claim 10, the rejection of claim 9 is incorporated and further Jellum disclosed ***receiving said first data from said first computing device comprises receiving said cookie.*** (see Page 2 Section [0037], "Also, in FIG. 1, is shown that the "MyPortal" and downloaded client from the content partners (500) can be **branded/co-branded** and limited to content partners domain and agreements with other partners.") and (see Fig. 5A, item 610, 615 and 620, "My Portal Server").

Claim 14 is the computer-readable medium claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1. Further Jellum disclosed ***computer-readable medium*** (see Page , Section 0039, "Typically, the download is only made once, but the client part (100) software can also be installed from another program carrier, such as for example a **diskette** or a **CD-ROM**.").

As Per Claim 15, Jellum disclosed: A method of branding a computer program that has been provided to a first computing device by a first entity, comprising the acts of:

receiving information indicative of a first entity;

- ***receiving information indicative of a first entity;*** (see Page 2 Section [0037], "In said system, a user, who operates a PC (100) or non PC (200) device, can download the client software part of the invention from a content partner (500) via the standard internet (400). After a first **download** of the client **software,** the user can start to set detailed "WatchPoints" on typical information items of interest (300-340), such as for example information items that are accessable through the internet and which can be selected and read by the user.").

- ***providing branding data based on said received information to a first computing device for durable storage on said first computing device;*** (see Page 2 Section [0037], "the user will **then utilize the client software for transferring the set "WatchPoint" data**, such as the **referenced URL**, keywords and unique element ID which describes selected element position in the source description of the selected information item, as well as a time stamp and notification information, such as SMS/WAP/GPRS/UMTS or e-mail reference(s), to the "CyberWatcher" server part (600) of the invention.").

- following said act of providing branding data, receiving said stored branding data from said first computing device; (see Page 2 Section [0037], "the user will then utilize the client software for transferring the set "WatchPoint" data, such as the referenced URL, keywords and unique element ID which describes selected element position in the source description of the selected information item, as well as a time stamp and notification information, such as SMS/WAP/GPRS/UMTS or e-mail reference(s), **to the "CyberWatcher" server** part (600) of the invention."). ***and***

- providing branding instructions to said first computing device based on said received branding data. (see Page 2 Section [0037],, "When the server part (600) finds a match according to the specifications or data of the set "Watch Points", the server part effects generating of change indicator, which indicator in turn can trigger **sending to the user a notification** according to information provided by the user, such as to the specified SMS/WAP/GPRS/UMTS, e-mail or "MyPortal" (610)") and (see Page 2 Section [0037], "Also, in **FIG. 1**, is shown that the "MyPortal" and downloaded client from the content partners (500) can be **branded/co-branded** and limited to content partners domain and agreements with other partners.").

Claim 27 is the computer-readable medium claim corresponding to the method claim 15 and is rejected under the same reason set forth in connection of the rejection of claim 15. Further Jellum disclosed ***computer-readable medium*** (see Page , Section 0039, "Typically, the download is only made once, but the client part (100) software can also be installed from another program carrier, such as for example a **diskette** or a **CD-ROM**.").

As Per Claim 29, Jellum disclosed: A system for branding a computer program comprising: a first computing device which comprises:

-a memory which stores branding instructions for one of a plurality of entities; (see Page 2 Section [0037], "In said system, a user, who operates a PC (100) or non PC (200) device, can download the client software part of the invention from a content partner (500) via the standard internet (400). **After a first download of the client software,** the user can start to set detailed "WatchPoints" on typical information items of interest (300-340), such as for example information items that are accessable through the internet and which can be selected and read by the user."). When the software is download, memory is inherently implied to store the software.

-a network interface communicatively coupled to a computer network; (see Page 2, Section 0033, "FIG. 5a is a block diagram showing an exemplary server part of the present invention with connections to **network**/client"). and

-logic which communicates one of a plurality of sets of branding instructions to a second computing device through said network interface. (See Fig.1, item 200) and (see Page 3, Section 0038, "Referring now to FIG. 2, the structure of the client part of the invention will be explained. The client structure example according to FIG. 2, shows the relevant elements of the client side, essentially constituting a software running on a PC (100) or non PC device, such as for example **a set-top box, a PDA or a WAP, GPRS, or UMTS enable telephone (200)**.").

As Per Claim 30, the rejection of claim 29 is incorporated and further Jellum disclosed ***logic causes said instructions to be stored on a second computing device.*** (see Page 2, Section 0033, "FIG. 5a is a block diagram showing an exemplary server part of the present invention with connections to **network**/client") and (see Page 3, Section 0038, "Referring now to FIG. 2,

the structure of the client part of the invention will be explained. The client structure example according to FIG. 2, shows the relevant elements of the client side, essentially constituting a software running on a PC (100) or non PC device, such as for example **a set-top box, a PDA or a WAP, GPRS, or UMTS enable telephone (200)**.").

2. Claim 28 is rejected under 35 U.S.C. 102(a) as being anticipated by Kikinis et al. (US Patent No. 5,835,732) hereafter Kikinis.

As Per Claim 28, Kikinis disclosed A method for distributing a variation of software through one of a plurality of entities, comprising:

-providing a standardized version of software; (see Column 12, Lines 52-57, "A **standard version** stored in the memory facility of a vending machine might be recompiled, for example, on downloading, using a unique code from the docked or identified .mu.PDA as a key in the compilation, so only the specific μPDA may run the program by using the same unique key to sequence the instructions while running."). and

-providing a customized version of said software as a function of one of a plurality of entities. (see Column 12, Lines 40-42, "The vending machine could also offer a keyed **version, customized** to operate only on the μPDA docked in the software vending machine, or upon a family of μPDAs."). In fact, as shown in FIG.1, the content partners(500) means more than one entities.

Claim R j ctions - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jellum et al. (US2002/0143813A1) hereafter Jellum, in view of Levy et al. (US2002/0033844A1) hereafter Levy.

As Per Claim 2, the rejection of claim 1 is incorporated and Jellum didn't explicitly disclose display a logo. However, Levy teaches ***providing instructions to said first computing device which cause said first copy of said computer program to display a logo associated with said first entity.*** (see Page 6, Section [0079], "In visual media objects, the application may **display the branding logo** visually superimposed over a portion of the rendered object"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Levy into the system of Jellum, to display a logo. The modification would have been obvious because one of ordinary skill in the art would have been motivated to enable applications to have many options to extend the branding and usage rights services.

4. Claims 6-7 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jellum et al. (US2002/0143813A1) hereafter Jellum, in view of Bates et al. (US Patent No. 6,037,935) hereafter Bates.

As Per Claim 6, the rejection of claim 5 is incorporated and Jellum didn't explicitly disclose providing a first and a second pages with links. However, Bates teaches ***providing a first page which includes said link to said first web site;*** (see Fig. 4, item 411, (First Web Page)), ***and providing a second page which includes one or more links to one or more second web sites different from said first web site.*** (see Fig. 4, item 450, (Second Web Page)) Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bates into the system of Jellum, to provide a first and a second pages with links. The modification would have been obvious because one of ordinary skill in the art would have been motivated to improve the convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link.

As Per Claim 7, the rejection of claim 6 is incorporated and Jellum didn't explicitly disclose providing first page includes a link to said first web site only and no other links. However, Bates teaches ***first page includes a link to said first web site and does not include any other links to any other web site.*** (see Fig. 4, item 442, (Link 2 Web Page)) Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bates into the system of Jellum, to provide a first and a second pages with links. The modification would have been obvious because one of ordinary skill in the art would have been motivated to improve the convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link.

As Per Claim 24, the rejection of claim 15 is incorporated and Jellum didn't explicitly disclose instructing said first computing device as to the manner in which a link to a network address is to be displayed on a list of network addresses. However, Bates teaches ***instructing said first computing device as to the manner in which a link to a network address is to be displayed on a list of network addresses.*** (see Column 5, Lines 40-47, "A first web page 411 includes three **links** 421, 422 and 423. A second web page 450 includes three links as well. Link 1 421 on first web page 411 corresponds to a web page 441 that has two links 424 and 425. Link 2 422 on first web page 411 corresponds to a web page 442 that has one link 426. Link 3 423 on first web page 411 corresponds to a web page 443 that has two links 427 and 428.") Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bates into the system of Jellum, to instructing said first computing device as to the manner in which a link to a network address is to be displayed on a list of network addresses. The modification would have been obvious because one of ordinary skill in the art would have been motivated to improve the convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link.

As Per Claim 25, the rejection of claim 24 is incorporated and Jellum didn't explicitly disclose limiting the set of said network addresses on said list. However, Bates teaches ***limiting the set of said network addresses on said list.*** (see Column 5, Lines 40-47, "A first web page 411 includes **three links** 421, 422 and 423. A second web page 450 includes three links as well. Link 1 421 on first web page 411 corresponds to a web page 441 that has **two links** 424 and 425.

Link 2 422 on first web page 411 corresponds to a web page 442 that has **one link** 426. Link 3 423 on first web page 411 corresponds to a web page 443 that has **two links** 427 and 428.") Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bates into the system of Jellum, to limit the set of said network addresses on said list. The modification would have been obvious because one of ordinary skill in the art would have been motivated to improve the convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link.

As Per Claim 26, the rejection of claim 24 is incorporated and Jellum didn't explicitly disclose providing data on a list of network addresses automatically. However, Bates teaches ***providing data on a list of network addresses automatically.*** (see Column 3, Lines 14-16, "A web page may contain various types of MIME **data**. Most web pages include visual data that is intended to be displayed on the monitor of user workstation 210.") and (see Column 5, Lines 40-47, "A first web page 411 includes **three links** 421, 422 and 423. A second web page 450 includes three links as well. Link 1 421 on first web page 411 corresponds to a web page 441 that has **two links** 424 and 425. Link 2 422 on first web page 411 corresponds to a web page 442 that has **one link** 426. Link 3 423 on first web page 411 corresponds to a web page 443 that has **tw links** 427 and 428.") Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bates into the system of Jellum, to providing data on a list of network addresses automatically. The modification would have been obvious because one of ordinary skill in the art would have been motivated to improve the

convenience of browsing web pages by providing an indication of the degree of exploration for each page and for each link.

5. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jellum et al. (US2002/0143813A1) hereafter Jellum, in view of Chanos et al. (US 2002/0120507A1) hereafter Chanos.

As Per Claim 11, the rejection of claim 1 is incorporated and Jellum didn't explicitly disclose first entity is a retailers. However, Chanos teaches ***first entity is a retailers.*** (see Page 4, Section 0041, "According to one embodiment, the delivery system 100 provides a consumer 130 with a variety of consumer information corresponding to one or more products or services ("products") offered by a virtually limitless number and type of manufactures, suppliers, resellers, **retailers**, etailers, distributors, wholesalers, service providers, professionals, or the like ("vendors")."), and (see Page 4, Section 0129, "Such fees are generally referred to as branding fees or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Arent into the system of Jellum, to provide a first entity is a retailers. The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide a customer multiple choices to purchase software.

As Per Claim 12, the rejection of claim 1 is incorporated and Jellum didn't explicitly disclose first entity is a distributor. However, Chanos teaches ***first entity is a distributor.*** (see

Page 4, Section 0041, "According to one embodiment, the delivery system 100 provides a consumer 130 with a variety of consumer information corresponding to one or more products or services ("products") offered by a virtually limitless number and type of manufactures, suppliers, resellers, retailers, etailers, **distributors**, wholesalers, service providers, professionals, or the like ("vendors")."), and (see Page 4, Section 0129, "Such fees are generally referred to as **branding** fees or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Arent into the system of Jellum, to provide a first entity is a distributor. The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide a customer multiple choices to purchase software.

As Per Claim 13, the rejection of claim 1 is incorporated and Jellum didn't explicitly disclose first entity is a wholesaler. However, Chanos teaches ***first entity is a wholesaler.*** (see Page 4, Section 0041, "According to one embodiment, the delivery system 100 provides a consumer 130 with a variety of consumer information corresponding to one or more products or services ("products") offered by a virtually limitless number and type of manufactures, suppliers, resellers, retailers, etailers, distributors, **wholesalers,** service providers, professionals, or the like ("vendors")."), and (see Page 4, Section 0129, "Such fees are generally referred to as **branding** fees or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Arent into the system of Jellum, to provide a first entity is a wholesaler. The modification would have been obvious because one of

ordinary skill in the art would have been motivated to provide a customer multiple choices to purchase software.

6. Claims 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jellum et al. (US2002/0143813A1) hereafter Jellum, in view of Yu (US 2002/013855A1).

As Per Claim 16, the rejection of claim 15 is incorporated and Jellum didn't explicitly disclose an image hidden within a web page. However, Yu teaches ***receiving said information indicative of a first entity from a second entity identified in an image hidden within a web page.*** (see Page 2, Section 0014, "The methods disclosed above can be easily implemented in numerous web presentation technologies including but not limited to those implemented in the commercial **web page** generation technology products Vignette, Java Server Pages (JSP), Active Server Pages (ASP), and Common Gateway Interface (CGI), so long as some type of a file system based cache supporting infrastructure exists. Regardless of the technology, the fundamental goal is to extend a cached page's lifetime even when new personalization requirements are needed. In the above discussions, two cases have been disclosed wherein personalization is achieved on top of cached web pages. Links can be personalized to take on different behaviors based on user preference. Images can be turned on or off according to user preference. However, these methods have application beyond link target modification and image on/off display. **Links** can be associated with customized JavaScript functions to carry even more complicated customized tasks on behalf of the user. Whole sets of **images and texts can be substituted, emphasized, hidden** or displayed for a more personalized web experience. These

can all be done in the context of a high performance, docroot-based caching web site."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide an image hidden within a web page. The modification would have been obvious because one of ordinary skill in the art would have been motivated to personalize a web page with different behaviors based on user preference.

As Per Claim 17, the rejection of claim 15 is incorporated and Jellum didn't explicitly disclose a cookie to be set on said first computing device. However, Yu teaches ***second entity causes a cookie to be set on said first computing device.*** (see Page 1, Section 0006, "Consumer tracking is often accomplished through the use of small files, or **cookies,** typically **stored** on a consumer's computer that retain information about the consumer's purchases, preferences, activities, or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide a cookie to be set on said first computing device. The modification would have been obvious because one of ordinary skill in the art would have been motivated for online advertisers to profile types of consumers who visit a particular website.

As Per Claim 18, the rejection of claim 17 is incorporated and Jellum didn't explicitly disclose a cookie contains information specific to a branding device. However, Yu teaches ***a cookie contains information specific to a branding device.*** (see Page 14, Section 0134, "According to one embodiment, the marketing system 120 tracks the actions of the consumer

130 through **cookies,** or small packages of data, accessible by the browser of the consumer computing device 105, some or all of which can be sent to the marketing system 120. Additionally, when the consumer 130 is accessing web pages of the marketing system 120, the marketing system 120 may track the requests for the same. Accordingly, when the marketing system 120 receives purchase order data derived from a purchase of one or more of the foregoing e-mailings, the marketing system 120 can, at BLOCK 1120 assess a transaction fee associated with the purchases. The transaction fee advantageously associates the actual purchase of products or services with **advertising campaigns** leading to those purchases. The transaction fee can advantageously be a high fee because it represents **targeted advertising** which actually lead the consumer 130 to a purchase activity. "). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide a cookie contains information specific to a branding device. The modification would have been obvious because one of ordinary skill in the art would have been motivated to access a transaction fee advantageously associates the actual purchase of products or services with **advertising campaigns** leading to those purchases.

As Per Claim 19, the rejection of claim 15 is incorporated and Jellum didn't explicitly disclose a cookie contains information identifying said branding instructions to be downloaded to said first computing device. However, Yu teaches ***a cookie contains information identifying said branding instructions to be downloaded to said first computing device.*** (see Page 10, Section 0094, "According to this example, the formatting module 340 at Block 635 advantageously compares **the changed consumer informati n,** e.g., the price, and determines

whether the new price meets the price parameter of the subscribing consumer. When it does, the formatting module 340 formats a deliverable and **delivers** it to the consumer 130."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide a cookie contains information identifying said branding instructions to be downloaded to said first computing device. The modification would have been obvious because one of ordinary skill in the art would have been motivated for a consumer to subscribe to the request service of pricing information, and only want to be notified when the price of the corresponding product is below a certain limit.

As Per Claim 20, the rejection of claim 17 is incorporated and Jellum didn't explicitly disclose sending said cookie from said first computing device. However, Yu teaches ***sending said cookie from said first computing device.*** (see Page 1, Section 0006, "Consumer tracking may include recording information about consumer purchases, preferences, or activities, and **sending** the information back **to the online advertising company.** Consumer tracking is often accomplished through the use of small files, or **cookies,** typically stored on a consumer's computer that retain information about the consumer's purchases, preferences, activities, or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide sending said cookie from said first computing device. The modification would have been obvious because one of ordinary skill in the art would have been motivated for online advertisers to profile types of consumers who visit a particular website.

As Per Claim 21, the rejection of claim 20 is incorporated and Jellum didn't explicitly disclose cookie comprises information indicative of said first entity. However, Yu teaches ***cookie comprises information indicative of said first entity.*** (see Page 1, Section 0006, "Consumer tracking may include recording information about consumer purchases, preferences, or activities, and **sending** the **information** back **to the online advertising company.** Consumer tracking is often accomplished through the use of small files, or **cookies,** typically stored on a consumer's computer that retain information about the consumer's purchases, preferences, activities, or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide cookie comprises information indicative of said first entity. The modification would have been obvious because one of ordinary skill in the art would have been motivated for online advertisers to profile types of consumers who visit a particular website.

As Per Claim 22, the rejection of claim 20 is incorporated and further Jellum disclosed a second computing device. (See Fig.1, item 200) and (see Page 3, Section 0038, "Referring now to FIG. 2, the structure of the client part of the invention will be explained. The client structure example according to FIG. 2, shows the relevant elements of the client side, essentially constituting a software running on a PC (100) or non PC device, such as for example **a set-top box, a PDA or a WAP, GPRS, or UMTS enable telephone (200)**."). Jellum didn't explicitly disclose cookie comprises information associated with a second computing device. However, Yu teaches ***cookie comprises information associated with a second computing device.*** (see Page

1, Section 0006, "Consumer tracking is often accomplished through the use of small files, or **c kies,** typically **stored** on a consumer's computer that retain information about the consumer's purchases, preferences, activities, or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to provide cookie comprises information associated with a second computing device. The modification would have been obvious because one of ordinary skill in the art would have been motivated for online advertisers to profile types of consumers who visit a particular website.

As Per Claim 23, the rejection of claim 15 is incorporated and Jellum didn't explicitly disclose receiving a fee from said first entity as a pre-condition for providing either said branding data or said branding instructions. However, Yu teaches ***receiving a fee from said first entity as a pre-condition for providing either said branding data or said branding instructions.*** (see Page 14, Section 0129, "Not shown in FIG. 11 but within the scope of the current disclosure, is the assessment of a placement fee, which, as a skilled artisan will recognize as similar to conventional banner advertisements, can occur when the consumer computing device 105 loads a web page which includes the advertisement 810. Such fees are generally referred to as **branding fees** or the like."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Yu into the system of Jellum, to receiving a fee from said first entity as a pre-condition for providing either said branding data or said branding instructions. The modification would have been obvious because one of ordinary

skill in the art would have been motivated for online advertisers to pay a placement fee for advertisement to attract comsumers who visit a particular website.

Response to Arguments

7. Applicant's arguments with respect to claims rejection have been fully considered but are not persuasive.

In the remarks section, the applicant argues that:

1) Per claim 1, no "information associated with a first entity" "that said first copy is to be branded with" or "providing first instructions to said first computing device" is disclosed or suggested by Jellum. (E.g. see Pg. 8 1st paragraph)

2) Per claim 28, Kikini does not disclose "plurality of entities". (E.g. see page 9, lines 4-7).

Examiner's response:

1) Examiner disagrees with applicant's assertion that Jellum doesn't teach "information associated with a first entity" "that said first copy is to be branded with" or "providing first instructions to said first computing device".

As to previous Office action, mailed 11/20/2003, examiner pointed out at pages 3-4 that Jellum, indeed, discloses "information associated with a first entity", "that said first copy is to be branded with" or "providing first instructions to said first computing device". In fact, Applicant acknowledged that "In FIG. 1, is shown that the "MyPortal" and downloaded client from the content partners(500) can be branded/cobranded and limited to content partners domain

and agreements with other partners" (E.g. see Pg. 8 1st paragraph, emphasis added). The Examiner will be clueless that if "partners" does not showing associated relationship property with the first entity. Of course, that if the first entity want to do business with its content partners based on associated information relationship, otherwise, the first entity will not choose them as partners. The first entity will also provide the first instructions (from content partners or CyberWatcher Server) to said first computing device. (E.g. see FIG 1 and associated text).

2) Examiner disagrees with applicant's assertion that Kikini does not terach "plurality of entities". In fact, as shown in FIG.1, the content partners(500) means more than one entities.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is 703-305-4866. The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on 703-305-4552.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306.

Kuo-Liang J. Tang

Software Engineer Patent Examiner

TUAN DAM
SUPERVISORY PATENT EXAMINER